

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION

IN RE:

CLAUS JOHANN HAAREN,  
AKA CLAUS J. HARREN,  
AKA CLAUS HARREN,  
FDBA ROLLING MEADOWS, LLC  
FDBA SUNSET DAIRY, INC.  
FDBA MORIAH DAIRY, INC.  
UTA W. HAAREN AKA  
UTA HAAREN FDBA  
SUNSET DAIRY, INC. FDBA  
MORIAH DAIRY, INC. FDBA  
ROLLING MEADOWS, LLC

Debtors.

WELLS FARGO EQUIPMENT  
FINANCE,

Movant,

vs.

CLAUS JOHANN HAAREN,  
AKA CLAUS J. HARREN,  
AKA CLAUS HARREN,  
FDBA ROLLING MEADOWS, LLC  
FDBA SUNSET DAIRY, INC.  
FDBA MORIAH DAIRY, INC.  
UTA W. HAAREN AKA  
UTA HAAREN FDBA  
SUNSET DAIRY, INC. FDBA  
MORIAH DAIRY, INC. FDBA  
ROLLING MEADOWS, LLC and  
WALTER W. KELLEY, as  
Trustee,

Respondents.

BANKRUPTCY CASE

NO. 10-70643-JTL

JUDGE JOHN T. LANEY, III

CHAPTER 7

CONTESTED MATTER

NOTICE OF ASSIGNMENT OF HEARING

WELLS FARGO EQUIPMENT FINANCE has filed papers with the Court to terminate the automatic stay. In the event a hearing cannot be held within thirty (30) days from the filing of the motion for relief from the automatic stay as required by 11 U.S.C. Sec. 362, Movant, by and through its counsel, waives this requirement and agrees to the next earliest possible date, as evidenced by its signature below.

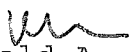
Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).

If you do not want the court to terminate the automatic stay or if you want the court to consider your views on the motion, then you or your attorney must:

Attend the hearing scheduled to be held on the day of 08/04/2010 at 10:30 A.M. in U.S. Bankruptcy Court, Federal Building, North Patterson, Valdosta, GA.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief. This notice is sent by the undersigned pursuant to Bankruptcy Rule 2002 & 4001.

DATE: June 22, 2010

  
Ronald A. Levine /s/  
Ronald A. Levine, Esq.  
GA Bar No. 448736  
LEVINE, BLOCK & STRICKLAND, LLP.  
780 Johnson Ferry Road  
Suite 240  
Atlanta, Georgia 30342 (404) 231-4567

Clerk of the Court  
United States Bankruptcy Court  
P.O. Box 2147  
Columbus, GA 31902-2147

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION

IN RE:	)	BANKRUPTCY CASE
	)	
CLAUS JOHANN HAAREN,	)	NO. 10-70643-JTL
AKA CLAUS J. HARREN,	)	
AKA CLAUS HARREN,	)	JUDGE JOHN T. LANEY, III
FDBA ROLLING MEADOWS, LLC	)	
FDBA SUNSET DIARY, INC.	)	CHAPTER 7
FDBA MORIAH DAIRY, INC.	)	
UTA W. HAAREN AKA	)	CONTESTED MATTER
UTA HAAREN FDBA	)	
SUNSET DAIRY, INC. FDBA	)	
MORIAH DAIRY, INC. FDBA	)	
ROLLING MEADOWS, LLC	)	
	)	
Debtors.	)	
<hr style="border: 0.5px solid black;"/>		
WELLS FARGO EQUIPMENT	)	
FINANCE,	)	
	)	
Movant,	)	
	)	
vs.	)	
	)	
CLAUS JOHANN HAAREN,	)	
AKA CLAUS J. HARREN,	)	
AKA CLAUS HARREN,	)	
FDBA ROLLING MEADOWS, LLC	)	
FDBA SUNSET DIARY, INC.	)	
FDBA MORIAH DAIRY, INC.	)	
UTA W. HAAREN AKA	)	
UTA HAAREN FDBA	)	
SUNSET DAIRY, INC. FDBA	)	
MORIAH DAIRY, INC. FDBA	)	
ROLLING MEADOWS, LLC and	)	
WALTER W. KELLEY, as	)	
Trustee,	)	
	)	
Respondents.	)	

MOTION TO TERMINATE STAY AND TO AUTHORIZE MOVANT TO  
TAKE POSSESSION OF COLLATERAL AND WAIVER OF RIGHT TO  
HEARING WITHIN 30 DAYS AS PROVIDED BY 11 U.S.C. SECTION 362(e)

COMES NOW WELLS FARGO EQUIPMENT FINANCE (hereinafter referred to as "WFEF") and respectfully represents the following:

1.

The within and foregoing Petition under Chapter 7 of the Bankruptcy Code was filed on 04/27/2010.

2.

Respondent executed a contract, which was assigned to WFEF for value, WFEF retaining first priority lien and security interest in

the collateral described therein, all of which is more fully described in Exhibit "A" attached hereto and made a part hereof, being that certain (1) - 600 Gallon Dairy Cooler With Attachments, (1) - DFE 8,000 Gallon Tank Assy, S/N 7613CA081, (1) Parts Box Assembly, (2) - DFE Gearmotor 1/4 HP 35RPM, (2) Agitator Shaft Assy, (1) - Internal Tank Ladder, (1) - DEF Control Pkg Cooling Only, S/N 7616EA081, (2) 5HP Condensing Unit, S/N 76289A081, 76242A081 (2) - 7.5HP R22 DFE Condensin Unit, S/N 76289A081, 76242A081, (2) Plexlglass Agitator Weather Shield (1) - Fre-Heater Assy D120 W/.75ft, S/N 76169A081, (1) - Wash Box, (1) - Chem. Pump Box, (1) Air Drain Valve, (2) - 5 Ton Refrigeration Units, S/N 76248A081, 76242A081. WFEF has perfected its security interest in the property by virtue of the filing hereof with the State of Georgia as duly reflected on the Certificate of Title of said collateral, a copy of which is attached hereto as Exhibit "B" and incorporated herein by this reference.

3.

Movant is presently unable to take possession of and enforce its contractual rights unless the Court terminates, annuls, modifies, or otherwise conditions the automatic Stay under 11 U.S.C. §362.

4.

Movant does not have and has not been offered adequate protection by the Respondent. WFEF is entitled to an Order terminating the automatic stay, pursuant to 11 U.S.C. Section 362(d)(1), due to the Debtor's failure to provide adequate protection as described therein. Movant has not received the 02/24/2010 payment nor the payment for any month thereafter. Moreover, the Debtor(s) has failed to provide Movant with verifiable evidence of acceptable insurance.

5.

Further, the aforescribed collateral is not necessary to an effective reorganization since this is not a reorganization case,

is depreciating in value daily and the Debtor(s) has no equity in the collateral. The debt owing to WFEF is \$53,849.05 net, save and except rebates as by law allowed; the value of the collateral being less than the debt.

6.

Movant makes this request pursuant to 11 U.S.C. §362 and seeks a hearing pursuant to §362(e) and waives right to hearing within thirty days as provided by 11 U.S.C. Section 362(e).

WHEREFORE, Movant prays:

- (a) That the Court grant Movant an immediate hearing;
- (b) That after notice and hearing, the Movant be entitled to unrestrained possession, custody and control of the aforescribed collateral and be permitted to proceed as by law allowed;
- (c) That the Court grant immediate relief and waive the requirement of bankruptcy Rule 4001(a)(3); and
- (d) That the Court grant such other relief as is just and proper.

Respectfully submitted,

LEVINE, BLOCK & STRICKLAND, LLP

BY: Ronald A. Levine /s/  
Ronald A. Levine, Esq.  
[GA Bar No. 448736]  
ATTORNEYS FOR MOVANT

2270 Resurgens Plaza  
945 East Paces Ferry Road  
Atlanta, Georgia 30326  
(404) 231-4567

Local Counsel/Court Appearance By:

Mark A. Gilbert, Esquire  
910 North Patterson St.  
Valdosta, GA 31601  
229-242-7562

# CERTIFICATE OF SERVICE


This is to certify that I have this date served a copy of the within and foregoing "Motion to Terminate Stay and to Authorize Movant to Take Possession of Collateral and Waiver of Right to Hearing Within 30 Days as Provide by 11 U.S.C. Section 362(e)" and "Notice of Hearing" by depositing same in the United States mail in a properly addressed envelope with adequate postage thereon to insure delivery upon the following:

Claus Johann Haaren  
aka Claus J. Harren  
aka Claus Harren  
fdba Rolling Meadows, LLC  
fdba Sunset Dairy, Inc.  
fdba Moriah Dairy, Inc.  
Uta W. Haaren aka Uta Haaren  
fdba Sunset Dairy, Inc.  
fdba Moriah Dairy, Inc.  
fdba Rolling Meadows, LLC 124 White Road  
Dixie, Georgia 31629

Alan H. Swan, Esquire  
P.O. Box 1566  
Tifton, GA 31793-1566

Walter W. Kelley, Esq.  
Chapter 7 Trustee  
2539 Lafayette Plaza Drive  
P.O. Box 70879  
Albany, GA 31708

This 22 day of June, 2010.

  
\_\_\_\_\_  
Ronald A. Levine /s/  
Ronald A. Levine, Esq.  
(GA Bar No. 448736)  
Attorneys for Movant

2270 Resurgens Plaza  
945 E. Paces Ferry Road  
Atlanta, GA 30326  
(404) 231-4567